

FILED
MAY 06 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN MORGAN,

⁰⁷
~~00~~-CV-1789-ST

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#24) on March 2, 2009, in which she recommends this Court reverse the Commissioner's denial of benefits to Plaintiff and remand this case to the Commissioner for an immediate calculation and payment of benefits. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and

Recommendation (#24). Accordingly, the Court **REVERSES** the Commissioner's decision and **REMANDS** this case to the Commissioner for the calculation and payment of benefits consistent with the findings of this Court.

IT IS SO ORDERED.

DATED this 6th day of May, 2009.

A handwritten signature in cursive script, appearing to read "Anna J. Brown", is written above a horizontal line.

ANNA J. BROWN
United States District Judge